

Application No.: 10/532,059
Art Unit: 1794

Amendment under 37 CFR §1.116
Attorney Docket No.: 052453

REMARKS

Claims 1, 3-10, 12, 13, 15 and 17-34 are pending. Claims 10, 33 and 34 are cancelled herein without prejudice or disclaimer. Claims 1, 4 and 8 are amended herein.

Applicants' undersigned representative thanks Examiner Hon for the courtesies extended during the telephone interview of July 2, 2009. Applicants separate record of the substance of the interview is incorporated in the remarks below.

Applicants' Response to the Claim Rejections under 35 U.S.C. §103

Claims 1, 3, 8-10, 12, 17-23, 25, 26, 28, 29, 31 and 32 are rejected under 35 U.S.C. § 103(a) over Land in view of Kawazu as set forth in the September 18, 2008 Office Action.

Applicants have herein incorporated the features of claim 33 into parent claims1 and claim 10 into patent claim 8.

As discussed during the telephone interview of July 2, 2009 and noted in the Advisory Action of June 29, 2009, the combination of references does not provide for the features of claim 10 regarding the azimuth valuation and relation of $(\lambda_1 - \lambda_2) = 10$ to 50 nm.

Wherefore, for the reason detailed above, and discussed during the interview, applicants respectfully submit that the claims are now in condition for allowance.

Claims 4-10, 12-15, 24, 25, 27, 28 and 30 under 35 U.S.C. § 103(a) are rejected over Hikmet in view of Kawazu as set forth in the September 18, 2008 Office Action.

Similar to above, applicants have herein incorporated the features of claim 34 into parent claim 4. As noted above applicants have incorporated claim 10 into claim 8.

Specifically, as mentioned during the interview and noted in the Advisory Action of June 29, 2009, the combination of references does not provide for the features regarding the azimuth valuation and relation of $(\lambda_1 - \lambda_2) = 10$ to 50 nm.

Wherefore, for the reason detailed above, and discussed during the interview, applicants respectfully submit that the claims are now in condition for allowance.

Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hikmet in view of Kawazu, as applied to claims 4-10, 13-15, 27-28 above.

Claims 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Land in view of Kawazu, as applied to claims 1, 3-8, 12, 17-18, 26, 28-29 above.

Applicants respectfully submit that by addressing the rejection of the parent claims, as detailed above, likewise the rejection of the present claims is addressed by nature of their dependency.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date. Further, applicants respectfully submit that no substantive changes

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have been made to the claims. The claims as now presented have only been amended to place the application in condition for allowance.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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